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JAEGER SAYS SESSION WAS MEANINGFUL IN THE AREA OF ELECTION REFORM

BISMARCK, ND - The 58th Legislative Assembly adopted significant election administration and campaign finance reform legislation according to Secretary of State Al Jaeger.

"The progress and advances made during this session are as noteworthy as those made during the early 1980s when the entire election code was overhauled," said Jaeger. "While incremental changes to election laws have been made during past legislative sessions, the improvements made during this session will provide a strong foundation that will make voting easier, efficient, and more secure during the next several years and make political disclosure more meaningful."

The eight pieces of legislation that the Secretary of State's office was directly involved with during the legislative session ranged widely to include changes to political party organization, procedures for filling legislative vacancies by special election, and authorizing the state's political parties to conduct presidential caucuses instead of presidential primaries beginning in the 2004 presidential election year. According to Jaeger, however, the most significant legislation that will enhance elections and the voting process for North Dakotans were included in Senate Bill Nos. 2409, 2394, and 2248, all of which are aimed at implementing federal election reform in the state.

Senate Bill No. 2409 is the primary vehicle for the Secretary of State's office and the counties to begin making plans and taking steps this year to comply with the federal election reform bill that Congress passed in October 2002 and was funded in January 2003. The Help America Vote Act of 2002, also known as HAVA, provides federal money to states for purposes of improving election administration, replacing punch card voting equipment, better educating election workers and voters, improving voter accessibility, and purchasing new and advanced voting equipment.

"Passage of Senate Bill No. 2409 was a critical step toward laying the foundation for complying with and implementing HAVA in North Dakota," said Jaeger. "It will enable us to take steps to replace punch card voting machines and eventually deploy touch screen voting devices that will be equipped to facilitate voting by persons with disabilities. The legislation also authorizes the Secretary of State to adopt and implement rules to certify and decertify voting equipment used in the state to ensure compliance with state and federal standards."

Senate Bill No. 2394 establishes a centralized electronic voter file that will link the Secretary of State's office with county auditors' offices for the purpose of preventing voter fraud and for keeping accurate poll books.

"The concept of a central voter database, or super poll book, has been discussed for a number of years. However, the idea has never gained momentum because of funding concerns," said Jaeger. "Today, funding is less of a concern because of HAVA."

The last of the HAVA related legislation, Senate Bill No. 2248, incorporates additional security and integrity measures into the state's absentee voting laws. It authorizes counties to voluntarily open early voting precincts during the fifteen days prior to the election. The legislation also enacts changes to improve the voting process for military and overseas voters.

Jaeger says that campaign finance and disclosure reform was also a top priority during the legislative session.

"The legislation that was adopted makes comprehensive improvements and reforms to North Dakota's present campaign finance and disclosure laws," said Jaeger.

Senate Bill No. 2063 gives clear definitions of a contribution and of a candidate and specifies that political contributions include anything given that has value. Previously, only contributions of cash were reported. Senate Bill No. 2403 expands disclosure requirements for candidates, political parties, and various political committees, to include requiring state political parties and committees organized to promote passage or defeat of measures appearing on the ballot to report expenditures made for political purposes. The legislation also establishes clear-cut procedures for the Secretary of State to follow when auditing campaign filings and authorizes the Secretary of State to assess penalty fees for late filings and violations detected during audits.

As important, Senate Bill No. 2403 expands the application of North Dakota's campaign finance laws by requiring filings by county, judicial district, and some city candidates. According to Jaeger, Senate Bill No. 2403 significantly expands the number of candidates impacted by North Dakota's campaign finance and disclosure laws.

"Together, Senate Bill Nos. 2063 and 2403 represent the most far-reaching campaign finance and disclosure improvements passed in North Dakota in many years," said Jaeger.

In preparation of the 2004 election season, Jaeger says his office is already busy implementing and conducting training concerning the new election related legislation.

"I am very confident that county auditors and the Secretary of State's office will be ready for 2004," said Jaeger.

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